Motion put and carried.

President.—I nominate the Law Member as Chairman of the Select Committee. The report should be submitted within a month.

The Cochin Civil Courts Regulation Amendment Bill.

Mr. Thomas Manjuran.—Sir, I beg to introduce the Cochin Civil Courts Regulation Amendment Bill. A mere reading of the statement of objects and reasons will explain the position. "It has been brought to the notice of the Government that on account of the peculiar language used in paragraph 2 of section 10 of Regulation III of 1076 some difficulties have arisen in practice with regard to the institution of suits in the Civil Courts functioning in the State. This Bill is intended to so amend the aforesaid paragraph as to obviate such difficulties". That is to say on account of a recent ruling of the Chief Court certain suits now being filed in the Munsiff's courts are not allowed to be filed there. The Chief Court so interpreted the language that this has been the result. Of course this is a matter, though not controversial, of far-reaching importance and I personally think that a Suit Valuation Act may also have to be passed. I shall be requesting presently that the House be pleased to appoint a committee composed mainly of lawyers to go into the question in detail. With these words I move that the Bill be read in Council.

Mr. A. Sivarama Menon.—The section which gave the difficulty may be read.

Mr. Thomas Manjuran.—The section as it stands here is this:—

"The jurisdiction of a Munsiff extends to all like suits and proceedings, not otherwise exempted from his cognizance, when the subject matter of such suits or proceedings is capable of being estimated at a money-value and such value does not exceed Rs. 2000".

The question was whether suit for easement as a matter of fact could be instituted in the Munsiffs' Courts. Such suits were being instituted in Munsiffs Courts and decided by them. Now the language of the British act is somewhat different. What it says is this:—

"The jurisdiction of a Dist. Munsiff extends to all like suits and proceedings, not otherwise exempted from his cognizance,

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of which the amount or value of the subject matter does not exceed three thousand rupees".—

The capacity to be valued in money is not mentioned in the section. The present attempt is to introduce the provision obtaining in British India here. But that section itself may not be quite adequate. It is for that purpose that I am going to refer the Bill to a select committee who may investigate the matter and make recommendations.

Mr. C.J. Mathew.—Sir, I second it.

Mr. A. Eachara Menon.—Will this section help a person to file a suit in a Munsiff's Court to restrain a man from entering his compound?

Mr. Thomas Manjuran:—I should think so. It is just because that it may not have a market value that I said before that we may have to pass a Suit Valuation Act. If the Hon'ble Member wished somebody to file a suit in the Munsiffs Court to restrain another from trespassing into his property, I do not see why if this amendment is introduced, that should not be possible.

Mr. E. Ikkanda Warriar.—The Hon'ble the Law Member was telling us and it is also very plain that without a suit valuation act it will not be possible to change the situation by this amendment. Therefore why did not Government consider the question of a suit valuation act?

Mr. Thomas Manjuran.—The Select Committee can consider the whole question. The whole question can be studied by a committee mainly composed of lawyers.

Motion put and carried.

Mr. C.J. Mathew.—The title of the bill is "Cochin Civil Courts Regulation Amendment Bill."

Mr. Thomas Mnajuran.—Sir, I beg to move that a Select Committee be appointed consisting of Messrs. A. Sankara Menon, A. Sivarama Menon, P. Krishna Menon, E. Ikkanda Warriar, The Diwan Peishkar, M. Krishna Menon, P. Raman Menon, Paul Mampilli and the mover.

Mr. C.J. Mathew.—I second it.

Mr. K.M. Ibrahim.—I move an amendment that Mr. A. Eachara Menon also be included in the Select Committee.

Mr. K.T. Mathew.—I second it.

Mr. Thomas Manjuran.—We have no objection.

Motion put and carried.

President.—I nominate the Diwan Peishkar as Chairman. The Committee should report within a month.

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